

**Opening Statement of the Honorable Greg Walden  
Subcommittee on Communications and Technology  
Legislative Hearing on the Anti-Spoofing Act,  
the LPTV and Translator Act, and the E-LABEL Act  
July 24, 2014**

*(As Prepared for Delivery)*

We're here today to conduct an important part of this committee's business: a legislative hearing on bills and discussion drafts. We'll be considering three different but useful pieces of legislation that will benefit consumers, streamline electronic device manufacturing for the digital age, and protect Americans from misleading communications.

H.R. 3670, the Anti-Spoofing Act of 2013, aims to prevent bad actors from using "spoofing" services to misrepresent who is sending a text message. Introduced by Reps. Barton and Meng, this bipartisan bill enhances the protections of the Truth in Caller ID Act of 2009 by extending the prohibition to text messages. Spoofing, when a caller purposely falsifies who is originating a call or a text message, has often been used maliciously by scammers to trick unsuspecting recipients. By utilizing one of many easily found "spoofing" services, the perpetrator can make a text message appear as though it is from anyone the sender chooses to impersonate, usually posing as a familiar website, service, or friend or relative of the recipient. Thinking that they are talking to someone they know and trust, the person on the receiving end is convinced to give up personal and sensitive information, like a bank account number or password. For example, customers of a Florida credit union received text messages that were allegedly from the bank, alerting them to "unusual activity" on their account and requesting information including credit card numbers, pin numbers, and account numbers. While the credit union was able to quickly detect the scam and alert customers, there were thousands at risk for compromised personal information. This bill intends to protect cell phone users from this kind of harmful mischief, in the same way we protect consumers from spoofing of voice caller ID.

Next we will consider The LPTV and Translator Act of 2014, a discussion draft offered by Mr. Barton that addresses how the FCC should treat low-power television stations and television translators in the upcoming broadcast incentive auction. The incentive auction was one of this Committee's contributions to the Middle Class Tax Relief and Job Creation Act of 2012, and offers broadcasters compensation for relinquished spectrum to be used for other purposes. While low-power stations and translators are not eligible to participate in the auction, this draft urges the FCC to account for the value of LPTV and translators to communities all across this country. Translators play an important role for so many in the mountain west, including my own district in eastern Oregon. I have long urged the Commission to keep this value in mind when conducting the repacking analysis and was happy to work with Mr. Barton on the language on this discussion draft. This draft would memorialize that sentiment in law, as well as allow LPTV and translator licensees additional opportunities to petition the FCC to stay on the air after the incentive auction process is complete.

Finally, we will consider the E-LABEL Act. This bipartisan, bicameral proposal is a common sense piece of legislation that brings outdated regulations in line with consumer expectations. Currently, all equipment and devices that are licensed by the FCC for radio frequency compliance must have a physical label that shows the licensing information – you'll see it right there on the back of your smartphone. The E-LABEL Act would allow manufacturers of devices with screens like smartphones to display a digital label rather than the physical mark on the device itself, making it easier and less expensive to put a label on our ever-shrinking electronics.

This legislation is another example of bringing existing regulations inline with modern technology. By allowing digital labeling, consumers and regulators can still access important information easily, without the sometimes onerous requirements on manufacturers. E-labels can provide more detailed information without the space limitations of a physical label, as well as a potential cost-savings as labels can become part of the code programmed into a device, rather than etched into the external body of the equipment. I

want to recognize the FCC for their work on this issue, led by Commissioners O’Rielly and Rosenworcel. The Commission issued guidance for manufacturers wishing to use digital labeling for their devices, including guidelines for how to properly display the information and how to educate consumers on accessing the labels. I also commend my colleagues, Reps. Latta and Welch, as well as Senators Fischer and Rockefeller, for their bipartisan work on this effort to streamline and modernize consumer protection rules. More efficient government and regulation for the innovation era is a goal of the Energy and Commerce Committee and one that this subcommittee is committed to furthering.

I’d like to thank all of our witnesses for being here today to discuss these bills, including Reps. Latta and Meng who have graciously offered to appear and speak on their respective bills. I look forward to a conversation about these three pieces of potential legislation.

###